

**PB# 98-09**

**ENCHANTED GARDENS**

**52-1-6**

98 -

9

Enchanted Gardens Site Plan  
(Pellegrino) Rt. 207

Approved 4-8-98

DATE March 23, 1998 **RECEIPT** 341091  
 RECEIVED FROM Enchanted Gardens  
 Address \_\_\_\_\_  
One Hundred 00/100 DOLLARS \$ 100.00  
 FOR P.B. # 98-9

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	ck # 1007
AMOUNT PAID		CHECK	100.00
BALANCE DUE		MONEY ORDER	

Town Clerk

BY Dorothy H. Hansen

DATE March 23, 1998 **RECEIPT** 98-9 NUMBER  
 RECEIVED FROM Enchanted Gardens  
 Address 1123 Route 207 - Rock Tavern, N.Y. 12575  
Five Hundred 00/100 DOLLARS \$ 500.00  
 FOR Site Plan Escrow (set by P.B. Engineer)

ACCOUNT		HOW PAID	
BEGINNING BALANCE	500.00	CASH	
AMOUNT PAID	500.00	CHECK	# 1008
BALANCE DUE	- 0 -	MONEY ORDER	

BY Mural Mason, Secretary

DATE April 8, 1998 **RECEIPT** 297624  
 RECEIVED FROM Enchanted Gardens  
 Address \_\_\_\_\_  
One Hundred 00/100 DOLLARS \$ 100.00  
 FOR P.B. # 98-9

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	ck # 1012
AMOUNT PAID		CHECK	100.00
BALANCE DUE		MONEY ORDER	

Town Clerk

BY Dorothy H. Hansen

BALANCE		CHECK	100.00
AMOUNT PAID		CHECK	100.00
BALANCE DUE		MONEY ORDER	

BY Dorothy H. HansenDATE March 23, 1998RECEIPT NUMBER 98-9RECEIVED FROM Enchanted GardensAddress 1123 Route 207 - Rock Tavern, N.Y. 12575Five Hundred 00/100 DOLLARS \$500.00FOR Site Plan Escrow (set by P.B. Engineer)

ACCOUNT		HOW PAID	
BEGINNING BALANCE	500.00	CASH	
AMOUNT PAID	500.00	CHECK	#1008
BALANCE DUE	-0-	MONEY ORDER	

BY Mural Mason, SecretaryDATE April 8, 1998

RECEIPT 297624

RECEIVED FROM Enchanted Gardens

Address

One Hundred 00/100 DOLLARS \$100.00FOR P.B. #98-9

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH	ck #1016
AMOUNT PAID		CHECK	100.00
BALANCE DUE		MONEY ORDER	

TOWN CLERK

BY Dorothy H. Hansen4/8/98  
Gmg - 89.00

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/06/98

PAGE: 1

LISTING OF PLANNING BOARD FEES  
ESCROW

FOR PROJECT NUMBER: 98-9

NAME: PROPANE FILLING STATION

APPLICANT: PELLIGRINO, JOHN

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
03/19/98	REC. CK. #1008 (PER MARK E.	PAID		500.00	
03/25/98	P.B. ATTY. FEE	CHG	35.00		
03/25/98	P.B. MINUTES	CHG	18.00		
04/08/98	P.B. ENGINEER FEE	CHG	89.00		
04/08/98	RET. TO APPLICANT	CHG	358.00		
		TOTAL:	500.00	500.00	0.00

4/8/98  
LR

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/09/98

PAGE: 1

STAGE: LISTING OF PLANNING BOARD ACTIONS

STATUS [Open, Withd]  
A [Disap, Appr]

FOR PROJECT NUMBER: 98-9

NAME: PROPANE FILLING STATION

APPLICANT: PELLIGRINO, JOHN

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
04/08/98	PLANS STAMPED	APPROVED
03/25/98	P.B. APPEARANCE	LA:ND APPROVED
03/18/98	WORK SESSION APPEARANCE	SUBMIT
03/04/98	WORK SESSION APPEARANCE	RETURN TO W.S.

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 04/09/98

PAGE: 1

LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 98-9

NAME: PROPANE FILLING STATION

APPLICANT: PELLIGRINO, JOHN

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	03/19/98	EAF SUBMITTED	03/23/98	WITH APPLICATION
ORIG	03/19/98	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	03/19/98	LEAD AGENCY DECLARED	03/25/98	TOOK LEAD AGENCY
ORIG	03/19/98	DECLARATION (POS/NEG)	03/25/98	DECL. NEG. DEC.
ORIG	03/19/98	PUBLIC HEARING	03/25/98	WAIVE P.H.
ORIG	03/19/98	AGRICULTURAL NOTICES	/ /	

PLANNING BOARD  
TOWN OF NEW WINDSOR

AS OF: 03/24/98

PAGE: 1

LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 98-9

NAME: PROPANE FILLING STATION  
APPLICANT: PELLIGRINO, JOHN

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	03/19/98	MUNICIPAL FIRE	03/25/98	APPROVED



RESULTS OF P.B. MEETING OF: March 30, 1998

**PROJECT:** Enchanted Gardens **P.B.#** 98 9

**LEAD AGENCY:**

**NEGATIVE DEC:**

1. AUTHORIZE COORD LETTER: Y    N

M) LU S) LN VOTE: A 5 N 0

2. TAKE LEAD AGENCY: Y ☒ NO

CARRIED: YES ✓ NO

M) 44 S) 5 VOTE: A 5 NO

CARRIED: YES ☒ NO

WAIVE PUBLIC HEARING: M) LUS) A VOTE: A 5 N 0 WAIVED: Y ☒ N ☐

SCHEDULE P.H. Y N

SEND TO O.C. PLANNING: Y

SEND TO DEPT. OF TRANSPORTATION: Y

REFER TO Z.B.A.: M) S) VOTE: A N

RETURN TO WORK SHOP: YES NO

**APPROVAL:**

MJ S S) A VOTE: A 5 N 0 APPROVED: 3/25/98

M) S) VOTE: A N APPROVED CONDITIONALLY:

NEED NEW PLANS: Y N

**DISCUSSION/APPROVAL CONDITIONS:**

No Bond estimate due.

ENCHANTED GARDENS SITE PLAN (98-9) ROUTE 207

Mr. Pellegrino appeared before the board for this proposal.

MR. PELLEGRINO: We're looking to put a propane tank pumping station, it's located on the map where we want to go up the driveway, left-hand side right here.

MR. PETRO: Why are they before the planning board because we deemed that tanks were the same as buildings?

MR. EDSALL: Yeah, that gets the fire inspector's review for code compliance.

MR. PETRO: This is the extreme limit of the planning board.

MR. EDSALL: If this was much less an issue, you wouldn't ask him to come in.

MR. BABCOCK: It's a pre-existing non-conforming use.

MR. PETRO: So we're expanding the pre-existing non-conforming use?

MR. EDSALL: Yes.

MR. BABCOCK: It's an accessory use to it.

MR. LUCAS: We have to go through SEQRA and all that.

MR. PETRO: We have fire approval on 3/19/98.

MR. EDSALL: We worked out with Bob.

MR. PETRO: 3/25/98, not 3/19.

MR. EDSALL: We worked out the requirements to make sure it's spaced properly so all that has been resolved.

MR. LANDER: How big of a tank, thousand gallon?

MR. PELLEGRINO: Thousand gallon.

MR. PETRO: One of the big round tanks, fill up the canisters, is that what you're doing?

MR. PELLEGRINO: Yes.

MR. PETRO: For somebody's grill?

MR. PELLEGRINO: Yes.

MR. LUCAS: Make a motion we go through all the stuff and get it over with.

MR. PETRO: We have the confirmation that the agricultural notices went out on March 25, 1998, 17 addressed envelopes.

MR. KRIEGER: Let the record reflect I discussed that with the planning board secretary and as far as I'm concerned, that is adequate compliance.

MR. PETRO: Now, do we have to wait 30 days before we can take action?

MR. KRIEGER: No, if the applicant is aware that if somebody comes in within 30 days and asks for it to be reviewed, they may be subject to having the planning board ask him to come back, but I don't propose that the application be held up for that.

MR. PETRO: There's no setbacks or anything to be involved, looks like everything is here, let's do lead agency.

MR. LUCAS: Make the motion.

MR. STENT: Second it.

MR. PETRO: Motion has been made an seconded that the New Windsor Planning Board declare itself lead agency for the Enchanted Gardens site plan. Is there any further discussion from the board? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: As far as public hearing goes, even though it's a non-conforming use, I feel the impact of this site plan is so little impact that I'd be embarrassed to send out notices.

MR. LUCAS: Motion we waive the public hearing.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board waive the public hearing under its discretionary judgment for Enchanted Gardens site plan. Is this any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. PETRO: As far as negative dec, I don't see how this could possibly affect the ground around the tank and whatever, just give me a motion.

MR. LUCAS: Motion we grant final approval.

MR. LANDER: That is the only improvement, just the tank. Second it.

MR. PETRO: Motion's been made and seconded that the New Windsor Planning Board declare negative dec for the Enchanted Gardens site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

MR. EDSALL: Jim, I don't want to get involved in any bond estimates, the only improvements is the tank and bollards and Bob Rogers will make sure the bollards are in.

MR. PETRO: I think it's been done here, so with that, can I have a motion for final approval?

MR. LUCAS: We just did.

MR. STENT: Motion for final approval.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board approve Enchanted Gardens site plan. Is there any further discussion for the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. LUCAS	AYE
MR. PETRO	AYE

Mark Edsall

" THINGS TO BUG MARK ABOUT "

1. DATE: 4-3-98

P.B. # 98-9 PROJECT NAME/APPLICANT: Enchanted Gardens

ITEMS TO BE ADDRESSED: Need Your fees.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. DATE: 4-6-98

P.B. # 93-4 PROJECT NAME/APPLICANT: Pizzo

ITEMS TO BE ADDRESSED: Need Memo saying OK

\_\_\_\_\_  
\_\_\_\_\_  
Need fees

3. DATE: \_\_\_\_\_

P.B. # \_\_\_\_\_ PROJECT NAME/APPLICANT: \_\_\_\_\_

ITEMS TO BE ADDRESSED: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. DATE: \_\_\_\_\_

P.B. # \_\_\_\_\_ PROJECT NAME/APPLICANT: \_\_\_\_\_

ITEMS TO BE ADDRESSED: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. DATE: \_\_\_\_\_

P.B. # \_\_\_\_\_ PROJECT NAME/APPLICANT: \_\_\_\_\_

ITEMS TO BE ADDRESSED: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NEW YORK STATE  
DEPARTMENT OF TRANSPORTATION

1035 First Street  
Stewart International Airport  
New Windsor, New York 12553  
(914) 564-2100  
(914) 564 1325 Fax



April 6, 1998

Mr. James R. Petro, Jr., Chairman  
Town of New Windsor Planning Board  
555 Union Avenue  
New Windsor, NY 12553

Dear Mr. Petro,

We have received an AGRICULTURAL DISTRICT NOTICE on the proposed installation of Propane Tank within 500' of Stewart Property Agricultural Tenant. We have inspected the site and see no problem with that location.

Please contact me at (914) 564-2100 ext.232 if you need any additional assistance or have any questions.

Sincerely,

A handwritten signature in cursive script that reads "George Kocan".

George Kocan  
Special Assistant

cc: J.P. McGuinness, Airport Director, Stewart Airport

AGRICULTURAL DISTRICT NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York has before it an application for ~~Subdivision~~ Site Plan for the proposed INSTALLATION of Propane TANK  
(briefly describe project)

As this project may be located within 500' of a farm operation located within an Agricultural District, the TOWN OF NEW WINDSOR is required to notify property owners of property containing a farm operation within this Agricultural District and within 500' of the proposed project.

Owner/Applicant John Pellegrino  
Name

Address: 1123 Rt 207  
Rock Tavern NY 12575

Project Location: 52-1-6  
Tax Map # Sec., Block, Lot

Street: 1123 Rt 207  
Rock Tavern NY 12575

A map of this project is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y.

Date: 3/24/98

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.,  
Chairman





**McGOEY, HAUSER and EDSALL**  
**CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.  
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY  
and PENNSYLVANIA

- ☐ **Main Office**  
45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640  
e-mail: mheny@att.net
- ☐ **Regional Office**  
507 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765  
e-mail: mhepa@ptd.net



**TOWN OF NEW WINDSOR**  
**PLANNING BOARD**  
**REVIEW COMMENTS**

**REVIEW NAME:** ENCHANTED GARDEN (PELLEGRINO) SITE PLAN  
(PROPOSED PROPANE FILLING STATION)  
**PROJECT LOCATION:** 1123 ROUTE 207  
SECTION 52-BLOCK 1-LOT 6  
**PROJECT NUMBER:** 98-9  
**DATE:** 25 MARCH 1998  
**DESCRIPTION:** THE APPLICANT PROPOSES INSTALLATION OF A  
PROPANE TANK AND PUMP STATION FOR RETAIL SALES  
OF PROPANE. THE PLAN WAS REVIEWED ON A CONCEPT  
BASIS.

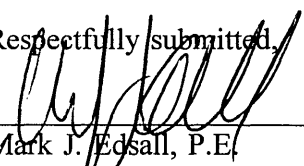
1. This is an existing commercial greenhouse retail operation located within the R-1 Zoning District of the Town. I believe the Board could either classify this as Use Permitted By Right No. 1 (commercial agricultural operations), or the Board could consider this a pre-existing non-conforming use. In either case, the Applicant proposes the propane facilities as an accessory use to the existing operation, and the Board will need to determine if this use is consistent with the existing site and approvals.
2. With regard to the proposed tank, from a site plan and engineering review basis, we have resolved location and protection issues at the Technical Work Session and same have been reflected on this plan submitted to the Board. I am aware of no further concerns with regard to the proposed amendment to this site.
3. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.
4. The Planning Board should determine, for the record, if a **Public Hearing** will be necessary for his **Site Plan**, per its discretionary judgement under Paragraph 48-19.C of the Town Zoning Local Law.

**TOWN OF NEW WINDSOR  
PLANNING BOARD  
REVIEW COMMENTS  
PAGE 2**

**REVIEW NAME:** ENCHANTED GARDEN (PELLEGRINO) SITE PLAN  
(PROPOSED PROPANE FILLING STATION)  
**PROJECT LOCATION:** 1123 ROUTE 207  
SECTION 52-BLOCK 1-LOT 6  
**PROJECT NUMBER:** 98-9  
**DATE:** 25 MARCH 1998

5. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
6. At such time that the Planning Board has made further review of this application, **further engineering reviews** and comments will be made, as deemed necessary by the Board.

Respectfully submitted,

  
\_\_\_\_\_  
Mark J. Edsall, P.E.  
Planning Board Engineer

MJEmk

A:ENCHANT.mk

# AFFIDAVIT OF MAILING AGRICULTURAL NOTICES

DEBORAH GREEN  
Notary Public, State of New York  
Queens County  
11375  
Commission Expires July 15, 1999

Airport Director, NYS Dept. of Transportation  
Stewart International Airport  
1035 First St.  
New Windsor, 12553

Herina, Andrew M. & Wanda J.  
1 Hampton Court  
Rock Tavern, NY 12575

Moran, Wayne H. & Elizabeth  
3 Hampton Court  
Rock Tavern, NY 12575

Contini, Louis A.  
5 Hampton Court  
Rock Tavern, NY 12575

Zubalsky, George & Kathleen  
Route 207, Box 10A  
Rock Tavern, NY 12575

Cornelius, Gregory C. & Stacey  
Wilson Place  
Cornwall, NY 12518

Setteducato, Michael J.  
11 Hampton Court  
Rock Tavern, NY 12575

McElroy, Kenneth F. & Josephine A.  
Bull Rd.  
Washingtonville, NY 10992

Lange, Frederick J. \* Has Agricultural Exemption  
Route 207  
Rock Tavern, NY 12575

Bianes, Antonio R. & Pamela O. Carter  
32 Schwartz Lane  
Rock Tavern, NY 12575

Lange, Frank & Nancy  
40 Schwartz Lane  
Rock Tavern, NY 12575

Rave, William C. & Karen Ruth  
1711 Little Britain Rd.  
Rock Tavern, NY 12575

Day, Norma I.  
420 W. 259<sup>th</sup> St.  
Bronx, NY 10471

Polman, Dirk & Carmella  
1703 Little Britain Rd.  
Rock Tavern, NY 12575  
Ferris, Jr. Lawrence E. & Yolanda M.  
23 Schwartz Lane  
Rock Tavern, NY 12575

Gibbs, Lance G.  
PO Box 7261  
Newburgh, NY 12550

Jones, Nicholas A.  
1679 Little Britain Rd.  
Rock Tavern, NY 12575

\* Has Agricultural Exemption  
52-1-12.3 & 52-1-12.4

AGRICULTURAL DISTRICT NOTICE

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(briefly describe project)

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Owner/Applicant John Pellegrino  
Name

Address: 1123 Rt 207  
Rock Tavern NY 12575

Project Location: 52-1-6  
Tax Map # Sec., Block, Lot

Street: 1123 Rt 207  
Rock Tavern NY 12575

A map of this project is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y.

Date: 3/24/98

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.,  
Chairman

INTER-OFFICE MEMORANDUM

TO: New Windsor Planning Board

FROM: Town Fire Inspector

DATE: 25 March 1998

SUBJECT: Pellegrino

Planning Board Reference Number: PB-98-9

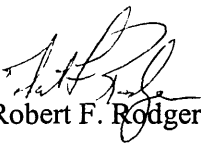
Dated: 20 March 1998

Fire Prevention Reference Number: FPS-98-013

A review of the above referenced subject site plan was conducted on 25 March 1998.

This site plan is acceptable.

Plans Dated: 4 March 1998.



Robert F. Rodgers



McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
WILLIAM J. HAUSER, P.E.  
MARK J. EDSALL, P.E.

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45 Quassaick Ave. (Route 9W)  
New Windsor, New York 12553  
(914) 562-8640
- ☐ Branch Office  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF NEW WINDSOR P/B #      -     

WORK SESSION DATE: 4 MAR 98

APPLICANT RESUB.  
REQUIRED: Will Later

REAPPEARANCE AT W/S REQUESTED: Yes

PROJECT NAME: Pellegrino SP

PROJECT STATUS: NEW X OLD     

REPRESENTATIVE PRESENT: Nelson Patterson / John Pellegrino

MUNIC REPS PRESENT: BLDG INSP.       
FIRE INSP. X  
ENGINEER X  
PLANNER       
P/B CHMN.       
OTHER (Specify)     

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- 207 left side near 5c
- refill station
- 1000 gall.
- 25' to R 25' to L side per R.R.
- rec ballads
- show pkg lot and fence on survey
- Ag district?



4MJE91 pbwsform

Licensed in New York, New Jersey and

152 CANAL ST  
ELLENVILLE, NY 12428  
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FAX (518) 398-6209  
<http://www.paraco-gas.com>

NELSON PATTERSON  
Sales Representative

MONTGOMERY  
(914) 457-2788





McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.  
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(914) 562-8640
- ☐ Branch Office  
400 Broad Street  
Milford, Pennsylvania 18337  
(717) 296-2765

PLANNING BOARD WORK SESSION  
RECORD OF APPEARANCE

1-3

TOWN/VILLAGE OF New Windsor P/B #      -     

WORK SESSION DATE: 18 MAR 98 APPLICANT RESUB.  
REQUIRED: Full

REAPPEARANCE AT W/S REQUESTED: No

PROJECT NAME: Pellegrino S/P

PROJECT STATUS: NEW X OLD     

REPRESENTATIVE PRESENT: Nelson Patena / John Pellegrino

MUNIC REPS PRESENT: BLDG INSP.       
FIRE INSP. X  
ENGINEER X  
PLANNER       
P/B CHMN.       
OTHER (Specify)     

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

- add 2 bellards traffic side ✓
- call out 1000 gal pigured ✓
- add address ✓

Myra \$ 500 escrow.

3/25 agenda

4MJE91 pbwsform



# TOWN OF NEW WINDSOR

555 UNION AVENUE  
NEW WINDSOR, NEW YORK 12553  
Telephone: (914) 563-4615  
Fax: (914) 563-4693

## PLANNING BOARD APPLICATION

### TYPE OF APPLICATION (check appropriate item):

Subdivision \_\_\_\_\_ Lot Line Change \_\_\_\_\_ Site Plan ☒ Special Permit \_\_\_\_\_

Tax Map Designation: Sec. 52 Block 1 Lot 6

1. Name of Project Propane Filling Station

2. Owner of Record John Pellegrino Phone 566-9575

Address: 697 Gardnertown Rd Newburgh NY 12550  
(Street Name & Number) (Post Office) (State) (Zip)

3. Name of Applicant John Pellegrino Phone 566-9575

Address: 1123 Rt 207 Rock Tavern NY 12575  
(Street Name & Number) (Post Office) (State) (Zip)

4. Person Preparing Plan John Pellegrino Phone 566-9575

Address: 1123 Rt 207 Rock Tavern NY 12575  
(Street Name & Number) (Post Office) (State) (Zip)

5. Attorney N/A Phone \_\_\_\_\_

Address \_\_\_\_\_  
(Street Name & Number) (Post Office) (State) (Zip)

6. Person to be notified to appear at Planning Board meeting:

J Pellegrino 446-1422  
(Name) (Phone)

7. Project Location:

On the South side of Rt 207 \_\_\_\_\_ feet  
(Direction) (Street) (No.)  
\_\_\_\_\_ of \_\_\_\_\_  
(Direction) (Street)

8. Project Data: Acreage 5.1 Zone RD School Dist. Wappinger

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes \_\_\_\_\_ No X

**\*This information can be verified in the Assessor's Office.**

**\*If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".**

10. Description of Project: (Use, Size, Number of Lots, etc.) Propose Paved Stairs

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes \_\_\_\_\_ no X

12. Has a Special Permit previously been granted for this property? yes \_\_\_\_\_ no X

**ACKNOWLEDGMENT:**

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

SWORN BEFORE ME THIS:

19th DAY OF March 1998

[Signature]  
APPLICANT'S SIGNATURE

[Signature]  
PATRICIA A. BARNHART  
Notary Public, State of New York  
No. 018A4904434  
Qualified in Orange County  
Commission Expires August 31, 1999

NOTARY PUBLIC

John Pellegri  
Please Print Applicant's Name as Signed

\*\*\*\*\*

TOWN USE ONLY:

DATE APPLICATION RECEIVED

APPLICATION NUMBER

**APPLICANT/OWNER PROXY STATEMENT**  
**(for professional representation)**

for submittal to the:  
TOWN OF NEW WINDSOR PLANNING BOARD

John Pellegrino, deposes and says that he resides  
(OWNER)

at 1123 Rt 207 Rock Tavern in the County of Orange  
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map

(Sec. 52 Block 1 Lot 6)  
designation number (Sec. \_\_\_\_\_ Block \_\_\_\_\_ Lot \_\_\_\_\_) which is the premises described in  
the foregoing application and that he authorizes:

\_\_\_\_\_  
(Applicant Name & Address, if different from owner)  
Nelson Patterson 276 Osborne Hill Rd Fiskville NY 12529  
(Name & Address of Professional Representative of Owner and/or Applicant)

to make the foregoing application as described therein.

Date: 3-19-98

Myra Mason  
Witness' Signature

John Pellegrino  
Owner's Signature

\_\_\_\_\_  
Applicant's Signature if different than owner

Nelson Patterson  
Representative's Signature

**THIS FORM CANNOT BE WITNESSED BY THE PERSON OR  
REPRESENTATIVE OF THE COMPANY WHO IS BEING AUTHORIZED  
TO REPRESENT THE APPLICANT AND/OR OWNER AT THE MEETINGS.**

PROJECT I.D. NUMBER

617.21

SEQR

## Appendix C

## State Environmental Quality Review

# SHORT ENVIRONMENTAL ASSESSMENT FORM For UNLISTED ACTIONS Only

## PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR <u>John Pellegrino</u>	2. PROJECT NAME <u>Propane TANK</u>
3. PROJECT LOCATION: Municipality <u>1123 R+ 207 Rock Tavern</u> County <u>ORANGE</u>	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) <u>1123 R+ 207 Rock Tavern</u>	
5. IS PROPOSED ACTION: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: <u>INSTALLING Propane TANK</u>	
7. AMOUNT OF LAND AFFECTED: Initially _____ acres    Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input type="checkbox"/> Residential <input type="checkbox"/> Industrial <input checked="" type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe: <u>Nursery - Retail Garden Center</u>	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name <u>John Pellegrino</u>	Date: <u>3/19/99</u>
Signature: <u>[Signature]</u>	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

**PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)**

<p>A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? <input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If yes, coordinate review process and use the FULL EAF.</p> <p>If No, a negative declaration may be superseded by another involved agency.</p>
<p>C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)</p> <p>C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:</p> <p>C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:</p> <p>C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:</p> <p>C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:</p> <p>C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly.</p> <p>C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly.</p> <p>C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly.</p>	
<p>D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly</p>	

**PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)**

**INSTRUCTIONS:** For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

<p><input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which <b>MAY</b> occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.</p> <p><input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action <b>WILL NOT</b> result in any significant adverse environmental impacts <b>AND</b> provide on attachments as necessary, the reasons supporting this determination:</p>	
<p>_____ Name of Lead Agency</p>	
<p>_____ Print or Type Name of Responsible Officer in Lead Agency</p>	<p>_____ Title of Responsible Officer</p>
<p>_____ Signature of Responsible Officer in Lead Agency</p>	<p>_____ Signature of Preparer (If different from responsible officer)</p>
<p>_____ Date</p>	

AGRICULTURAL DISTRICT NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York has before it an application for Subdivision/Site Plan Site Plan for the proposed 1000 gal Propane TANK (briefly describe project)

As this project may be located within 500' of a farm operation located within an Agricultural District, the TOWN OF NEW WINDSOR is required to notify property owners of property containing a farm operation within this Agricultural District and within 500' of the proposed project.

Owner/Applicant

John Pellini  
Name

Address:

1123-R+ 207 ROCKTAVERE

Project Location:

52-1-6  
Tax Map # Sec., Block, Lot

Street:

1123 R+ 207

A map of this project is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y.

Date:

3/18/98

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.,  
Chairman